

Translation

PATENT COOPERATION TREATY

PCT

See PCT/PTO

4 MAY 2006

10/550228

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 2003P14425WO	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/EP2004/003019	International filing date (day/month/year) 22.03.2004	Priority date (day/month/year) 22.03.2003
International Patent Classification (IPC) or national classification and IPC		
Applicant SIEMENS AKTIENGESELLSCHAFT		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

3. This report is also accompanied by ANNEXES, comprising:

a. ☒ (sent to the applicant and to the International Bureau) a total of 2 sheets, as follows:

☒ sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).

☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.

b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

<input checked="" type="checkbox"/>	Box No. I	Basis of the report
<input type="checkbox"/>	Box No. II	Priority
<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input type="checkbox"/>	Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/>	Box No. VI	Certain documents cited
<input type="checkbox"/>	Box No. VII	Certain defects in the international application
<input type="checkbox"/>	Box No. VIII	Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003019

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1-11 as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. _____ as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1-12 received by this Authority on 01.12.2004 with letter
- nos.* _____ received by this Authority on of 25.11.2004
- ☒ the drawings:
- sheets 1/3-3/3 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☒ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☒ the claims, nos. 13
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003019

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-12	YES
	Claims		NO
Inventive step (IS)	Claims	1-12	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-12	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Reference is made to the following documents:

- D1: PATENT ABSTRACTS OF JAPAN, vol. 0185, no. 67
(P-1820), 28 October 1994 (1994-10-28) &
JP 06 207841 A (YAMATAKE HONEYWELL CO LTD),
26 July 1994 (1994-07-26)
- D2: PATENT ABSTRACTS OF JAPAN, vol. 1997, no. 02,
28 February 1997 (1997-02-28) &
JP 08 254450 A (YAMATAKE HONEYWELL CO LTD),
1 October 1996 (1996-10-01)
- D3: US-A-4 297 897 (YOUNG)
3 November 1981 (1981-11-03)
- D4: US-A-5 400 659 (YOKOI ET AL)
28 March 1995 (1995-03-28).

Document D1 is considered to be the prior art closest to the subject matter of claim 1. Said document discloses (the references in parentheses are to said document) a magnetic induction flowmeter (reference), that is to say comprising a measured distance surrounded by a wall, with a device for generating a magnetic field and an arrangement of electrodes, there being an electrode on the inner side of the wall and an electrode connection on

/...

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

the outer side of the wall (figure 1), the electrode connection being connected to the electrode via a plug connector and the electrode connection being attached to the wall (figure).

The subject matter of claim 1 therefore differs from the known flowmeter in that the electrode comprises one part of a barbed connection, by means of which it is held in position.

The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem addressed by the present invention can consequently be regarded as that devising a simpler alternative for assembling the electrode with the electrode connection.

The solution to the above problem, as proposed in claim 1 of the present application, involves an inventive step (PCT Article 33(3)). The reasons are as follows:

a barbed connector is used in addition to the plug connector between the electrode and the electrode connection, that is to say that the electrode connection which plugs into the electrode is additionally interlocking with the electrode, the two electrode parts being thereby secured one to the other. In the field of magnetic flowmeters, it is usual to employ a threaded connector for this purpose (see for example documents D1,

/...

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2004/003019

Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement

D2, D3 or D4). By comparison therewith, the use of a barbed connector makes it possible to mount the electrode in a flowmeter in a simpler and faster manner.

Claims 2-12 are dependent on claim 1 and, in consequence, satisfy the requirements of the PCT in respect of novelty and inventive step.